

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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LINEAGE POWER CORP.,

Plaintiff

v.

08-cv-397-slc

SYNQOR, INC., and  
VICTORY SALES, INC.,

Defendants.

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On January 7, 2009, Magistrate Judge Stephen L. Crocker issued a report recommending that this court transfer this case to the United States District Court for the Eastern District of Texas, Marshall Division. *See* R. 50. On January 12, 2009 the parties submitted a stipulation waiving any objections to the report and recommendation, agreeing to the immediate transfer and requesting a stay of further proceedings in this court until the transfer was accomplished. *See* R. 52. In an exception to the request for a stay, the parties separately have stipulated to the dismissal of defendant Victory Sales, Inc. from this case. *See* R. 51.

ORDER

It is ORDERED that the parties' stipulation to dismiss defendant Victory Sales, Inc. without prejudice is GRANTED;

It is FURTHER ORDERED that the January 7, 2009 report and recommendation is adopted as the court's own and defendants' joint motion to transfer this case is GRANTED; the

clerk of court is directed to transmit the case files to the United States District Court for the Eastern District of Texas, Marshall Division.

Entered this 13<sup>th</sup> day of January, 2009.

BY THE COURT:

/s/

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LYNN S. ADELMAN  
District Judge